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Attorneys for TSUBURAYA

PRODUCTIONS CO., LTD.

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

WESTERN DIVISION

UM CORPORATION, a Japanese
corporation,

Plaintiff,

vs.

TSUBURAYA PRODUCTIONS CO.,
LTD., a Japanese corporation,

Defendant.

CASE NO. 2:15-cv-03764-AB-AJW

**TRIAL WITNESS LIST OF
DEFENDANT AND
COUNTERCLAIMANT
TSUBURAYA PRODUCTIONS CO.,
LTD.**

Judge: Hon. André Birotte, Jr.

Pretrial Conference: October 20, 2017

Time: 11:00 a.m.

Location: Courtroom 7B

Trial Date: November 7, 2017

TSUBURAYA PRODUCTIONS CO.,
LTD., a Japanese corporation,

Counterclaimant,

vs.

UM CORPORATION, a Japanese
corporation; ULTRAMAN USA, INC.,
a California corporation; SOMPOTE
SAENGDUENCHAI, a Thai individual;
GOLDEN MEDIA GROUP, INC., a
California corporation; TIGA
ENTERTAINMENT COMPANY,
LTD., a Hong Kong corporation; and
DOES 1-10,

Counterdefendants.

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Pursuant to Federal Rule of Civil Procedure 26(a)(3)(A)(i), defendant and counterclaimant Tsuburaya Productions Co., Ltd., hereby submits its list of witnesses it anticipates calling at trial, with estimates regarding the time it will spend on direct and/or cross-examination with each witness.

Witness's Name*, Phone Number, Address	Summary of Testimony / Why Testimony Unique	Time for Direct Exam (hours)	Time for Cross Exam (hours)	Dates of Testimony
Shinichi Ooka, available to be contacted through counsel for Tsuburaya Productions Co., Ltd. ("TPC").	Will testify regarding the formation and history of TPC; its creation of "Ultraman" audio-visual works over the past 50+ years; TPC's international licensing activities and practices; the inauthenticity and termination of the March 4, 1976 License Granting Agreement (the "1976 Document"); and additional issues that fall within his area of personal knowledge. [Unique because he has served as the President of TPC for the past several years.]	1.5 hours	0.75 hours	
Tsuneyuki Morishima, available to be contacted through counsel for TPC.	Will testify regarding the business of TPC in and around 1976; Noboru Tsuburaya's role as the President of the company; TPC's contracting practices in the 1970s; the relationship between TPC and its affiliate, Tsuburaya Enterprises Co.; TPC's	1 hour	0.5 hours	

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Witness's Name*, Phone Number, Address		Summary of Testimony / Why Testimony Unique		Time for Direct Exam (hours)		Time for Cross Exam (hours)		Dates of Testimony																			
		international licensing activities in and around the 1970s; the inauthenticity of the 1976 Document; and additional issues that fall within his area of personal knowledge. [Unique because he is the only living witness who worked with Noboru Tsuburaya at the time when the 1976 Document was allegedly signed.]																									
Kazuo Tsuburaya, available to be contacted through counsel for TPC.		Will testify regarding the management of TPC by his father, Noboru Tsuburaya, his father's passing, and his time as the President of TPC; the events in and around 1996 when Mr. Sompote Saengduenchai brought the 1976 Document to the attention of TPC for the first time; TPC's negotiations with Mr. Sompote and his son, Perazit, around that time; the closure of TPC's international licensing agent, Ultracom; and additional issues that fall within his area of personal knowledge. [Unique because he is Noboru Tsuburaya's		1 hour		0.5 hours																					

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		son and served as the President of TPC during a critical time period.]			
*Kei Minamitani, available to be contacted through counsel for TPC.	Will testify regarding TPC's present business operations and its development and creation of Ultraman works; TPC's international licensing activities and the impact on them of UM Corporation's ("UMC") and the other counter-defendants' assertions and exercise of rights under the 1976 Document; and additional issues that fall within his area of personal knowledge. [Unique because he has been in charge of TPC's international licensing activities for the past several years.]	.5 hours	0.25 hours		
Kiyotaka ("Jimmy") Ugawa, who is deceased, and will be offered through prior testimony from a lawsuit in Japan.	Will testify regarding the business of TPC under Noboru Tsuburaya in the 1970s, 80s and 90s, including the company's international licensing activities and the formation and closure of Ultracom; the events in and around 1996 when Mr. Sompote brought the 1976	.5 hours	0.2 hours		

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Witness's Name*, Phone Number, Address	Summary of Testimony / Why Testimony Unique	Time for Direct Exam (hours)	Time for Cross Exam (hours)	Dates of Testimony
testimony.	works and the characters in them.]			
Lloyd Cunningham, 67 Oak Meadow Court, Alamo, CA 94507.	Will provide expert testimony in the field of forensic document examination regarding the authenticity of the signature on the 1976 Document and other "questioned" documents he examined. [Unique because he is TPC's only expert on the authenticity of the signature on the 1976 Document.]	1 hour	1 hour [UMC, GMG, and TIGA will seek to exclude Mr. Cunningham's testimony as a witness]	
*Kathleen Nicolaides, c/o Affiliated Forensic Laboratory, 3030 N. Central Ave., Suite 507, Phoenix, AZ, 85012.	Will provide expert testimony, in rebuttal to UMC's expert Michael Wakshull, in the field of forensic document examination regarding the authenticity of the 1976 Document based on features of the document other than the signature. [Unique because she is TPC's only expert on the authenticity of elements of the 1976 Document other than the signature.]	1 hour	0.5 hours	
*Yoshimasa Furuta, c/o Anderson Mori & Tomotsune, Akasaka K-Tower, 2-7,	Will provide expert testimony regarding practices in Japan for the formation of contracts, including the use of signatures and	.5 hours	0.3 hours	

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Witness's Name*, Phone Number, Address	Summary of Testimony / Why Testimony Unique	Time for Direct Exam (hours)	Time for Cross Exam (hours)	Dates of Testimony
	Ultraman USA.]			
Roy McAree, available to be contacted through counsel for Golden Media Group.	Counter-defendant Golden Media Group's business activities relating to "Ultraman," acts of copyright infringement, and relationship with the other counter-defendants. [Unique because he is the only witness from counter-defendant Golden Media Group.]	.5 hours	1 hour [direct and cross-examination]	
Sittichai Rujipasakul, available to be contacted through counsel for TIGA.	TIGA's formation and business activities, relationship with Mr. Sompote, acts of copyright infringement, and knowledge of the falsity of the 1976 Document. [Unique because he is the only witness from counter-defendant TIGA.]	1 hour	1.0 hour [combined direct and cross-examination]	
Perasit Saenguenchai, available to be contacted through counsel for UMC.	Mr. Perasit's relationship with his father, Mr. Sompote; the alleged formation of the 1976 Document; Mr. Sompote's business activities relating to Ultraman works; Mr. Sompote's disclosure of the 1976 Document to TPC in 1996, and the parties' subsequent negotiations; the	2 hours	3 hours [combined direct and cross-examination]	

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Witness's Name*, Phone Number, Address	Summary of Testimony / Why Testimony Unique	Time for Direct Exam (hours)	Time for Cross Exam (hours)	Dates of Testimony
	formation of UMC, its business purpose and acts of copyright infringement; and Mr. Sompote's credibility. [Unique because he is Mr. Sompote's son and the principal of UMC.]			
Thanisa Tiranawadi, available to be contacted through counsel for UMC.	Ms. Thanisa's relationship with Mr. Sompote and Mr. Perasit; employment activities relating to TIGA, UMC and Ultraman works; the formation, business activities and acts of infringement of UMC; and communications with Mr. Sompote. [Unique because she has been primarily responsible for certain of UMC's infringing activities.]	1 hour	1 hour [combined direct and cross-examination]	
Moriaki Uematsu, available to be contacted through counsel for UMC.	Mr. Uematsu's relationship and communications with Mr. Sompote; the formation of UMC and its business purpose; the lack of authenticity of the 1976 Document. [Unique because he knew Mr. Sompote personally and was involved in forming UMC.]	1 hour	2 hours [combined direct and cross-examination]	

*Indicates that witness will be called only if the need arises.

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DATED: September 22, 2017

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

By /s/ Daniel C. Posner

Daniel C. Posner
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PRODUCTIONS CO. LTD.